

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Previously Presented) A method for the expression of a nucleic acid sequence of interest in plant seeds, comprising: (a) preparing a chimeric nucleic acid construct comprising in the 5' to 3' direction of transcription as operably linked components: (1) a seed-specific promoter obtained from flax; and (2) said nucleic acid sequence of interest wherein said nucleic acid of interest is non-native to said seed-specific promoter; (b) introducing said chimeric nucleic acid construct into a plant cell; and (c) growing said plant cell into a mature plant capable of setting seed, wherein said nucleic acid sequence of interest is expressed in the seed under the control of said seed-specific promoter, and wherein said seed-specific promoter comprises an RY repeat and an ABRE promoter element.
2. (Previously Presented) The method according to claim 1, wherein said plant seed is selected from the group of plants consisting of soybean (*Glycine max*), rapeseed (*Brassica napus*, *Brassica campestris*), sunflower (*Helianthus annuus*), cotton (*Gossypium hirsutum*), corn (*Zea mays*), tobacco (*Nicotiana tabacum*), alfalfa (*Medicago sativa*), wheat (*Triticum sp.*), barley (*Hordeum vulgare*), oats (*Avena sativa* L.), sorghum (*Sorghum bicolor*), *Arabidopsis thaliana*, potato (*Solanum sp.*), oil palm (*Eleais guineensis*), groundnut (*Arachis hypogaea*), Brazil nut (*Bertholletia excelsa*) coconut (*Cocus nucifera*), castor (*Ricinus communis*), coriander (*Coriandrum sativum*), squash (*Cucurbita maxima*), jojoba (*Simmondsia chinensis*) and rice (*Oryza sativa*).
3. (Previously Presented) The method according to claim 1, wherein said plant seed is flax/linseed (*Linum usitatissimum*).
4. (Previously Presented) The method according to claim 1, wherein said plant seed is safflower (*Carthamus tinctorius*).
- 5 – 6. (Canceled).

7. (Previously Presented) The method according to claim 1, wherein said RY repeat and ABRE promoter elements are separated from each other by less than 100 nucleotides and more than 20 nucleotides.
8. (Previously Presented) The method according to claim 1, wherein said RY repeat and ABRE promoter elements are separated from each other by less than 50 nucleotides and more than 20 nucleotides.
9. (Previously Presented) The method according to claim 1, wherein said RY repeat and ABRE promoter elements are separated from each other by less than 35 nucleotides and more than 20 nucleotides.
10. (Previously Presented) The method according to claim 1, wherein said seed specific promoter obtained from flax additionally comprises an EBOX promoter element.
11. (Previously Presented) The method according to claim 10, wherein said EBOX promoter element is between 250 to 150 nucleotides from the "ATG" start codon.
12. (Previously Presented) The method according to claim 10, wherein said EBOX promoter element is between 200 to 175 nucleotides from the "ATG" start codon.
13. (Previously Presented) The method according to claim 10, wherein said EBOX promoter element is between 195 to 185 nucleotides from the "ATG" start codon.
14. (Previously Presented) The method according to claim 1, wherein said seed-specific promoter obtained from flax additionally comprises an SEF3 promoter element.
15. (Previously Presented) The method according to claim 14, wherein said SEF3 promoter element is, between 200 to 50 nucleotides from the "ATG" start codon.

16. (Previously Presented) The method according to claim 14, wherein said SEF3 promoter element is between 175 to 100 nucleotides from the "ATG" start codon.

17. (Previously Presented) The method according to claim 14, wherein said SEF3 promoter element is between 160 to 145 nucleotides from the "ATG" start codon.

18. (Currently Amended) The method according to claim 1, wherein said flax seed-specific promoter comprises: (a) a nucleic acid sequence as shown in FIG. 3 (SEQ.ID.NO.:6) from nucleotides 1 to 417, wherein T can also be U; (b) a nucleic acid sequence that is complementary to a nucleic acid sequence of (a); or (c) a nucleic acid sequence that hybridizes to a nucleic acid sequence of (a) under stringent hybridization conditions which comprise hybridization at 5 x sodium chloride/sodium citrate (SSC) x Denhardt's solution/1.0% SDS at T<sub>m</sub> -5°C, followed by a wash of 0.2 x SSC/0.1% SDS at 60°C.

19. (Previously Presented) A transgenic plant capable of setting seed prepared by a method comprising: (a) preparing a chimeric nucleic acid construct comprising in the 5' to 3' direction of transcription as operably linked components: (1) a seed-specific promoter obtained from flax; and (2) a nucleic acid sequence of interest wherein said nucleic acid of interest is non-native to said seed-specific promoter; (b) introducing said chimeric nucleic acid construct into a plant cell; and (c) growing said plant cell into a mature plant capable of setting seed, wherein said nucleic acid sequence of interest is expressed in the seed under the control of said seed-specific promoter, and wherein said seed-specific promoter comprises an RY repeat and an ABRE promoter element.

20. (Previously Presented) The transgenic plant according to claim 19, wherein said plant is selected from the group of plants consisting of soybean (*Glycine max*), rapeseed (*Brassica napus*, *Brassica campestris*), sunflower (*Helianthus annuus*), cotton (*Gossypium hirsutum*), corn (*Zea mays*), tobacco (*Nicotiana tabacum*), alfalfa (*Medicago sativa*), wheat (*Triticum* sp.), barley (*Hordeum vulgare*), oats (*Avena sativa* L.), sorghum (*Sorghum bicolor*), *Arabidopsis thaliana*, potato (*Solanum* sp.), oil palm (*Eleais guineeis*), groundnut (*Arachis hypogaea*), Brazil nut (*Bertholletia excelsa*) coconut (*Cocus nucifera*), castor (*Ricinus*

communis), coriander (*Coriandrum sativum*), squash (*Cucurbita maxima*), jojoba (*Simmondsia chinensis*) and rice (*Oryza sativa*).

21. (Previously Presented) The transgenic plant according to claim 19, wherein said plant is flax/linseed (*Linum usitatissimum*).

22. (Previously Presented) The transgenic plant according to claim 19, wherein said plant is safflower (*Carthamus tinctorius*).

23-24. (Canceled).

25. (Previously Presented) The transgenic plant according to claim 19, wherein said RY repeat and ABRE promoter elements are separated from each other by less than 100 nucleotides and more than 20 nucleotides.

26. (Previously Presented) The transgenic plant according to claim 25, wherein said RY repeat and ABRE promoter elements are separated from each other by less than 50 nucleotides and more than 20 nucleotides.

27. (Previously Presented) The transgenic plant according to claim 25, wherein said RY repeat and ABRE promoter elements are separated from each other by less than 35 nucleotides and more than 20 nucleotides.

28. (Previously Presented) The transgenic plant according to claim 25, wherein said seed specific promoter obtained from flax additionally comprises an EBOX promoter element.

29. (Previously Presented) The transgenic plant to claim 28, wherein said EBOX promoter element is between 250 to 150 nucleotides from the "ATG" start codon.

30. (Previously Presented) The transgenic plant according to claim 28, wherein said EBOX promoter element is between 200 to 175 nucleotides from the "ATG" start codon.

31. (Previously Presented) The transgenic plant according to claim 28, wherein said EBOX promoter element is between 195 to 185 nucleotides from the "ATG" start codon.
32. (Previously Presented) The transgenic plant according to claim 25, wherein said seed-specific promoter obtained from flax additionally comprises an SEF3 promoter element.
33. (Previously Presented) The transgenic plant according to claim 32, wherein said SEF3 promoter element is between 200 to 50 nucleotides from the "ATG" start codon.
34. (Previously Presented) The transgenic plant according to claim 32, wherein said SEF3 promoter element is between 175 to 100 nucleotides from the "ATG" start codon.
35. (Previously Presented) The transgenic plant according to claim 32, wherein said SEF3 promoter element is between 160 to 145 nucleotides from the "ATG" start codon.
- 36-66. (Canceled).
67. (Previously Presented) A plant prepared according to the method of claim 1.
68. (Previously Presented) A plant cell comprising a chimeric nucleic acid sequence comprising (a) a first nucleic acid sequence comprising a seed-specific promoter obtained from flax which comprises a nucleic acid sequence comprising an RY repeat and an ABRE promoter element; and (b) a second nucleic acid sequence non-native to said flax seed-specific promoter.
69. (Previously Presented) A plant seed comprising a chimeric nucleic acid sequence comprising (a) a first nucleic acid sequence comprising a seed-specific promoter obtained from flax which comprises a nucleic acid sequence comprising an RY repeat and an ABRE promoter element; and (b) a second nucleic acid sequence non-native to said flax seed-specific promoter.

70. (Previously Presented) A plant seed obtained from a plant prepared according to the method of claim 1, wherein said seed expresses the chimeric nucleic acid construct.

71. (Canceled).

72. (Previously Presented) The transgenic plant according to claim 19, wherein said flax seed-specific promoter comprises: (a) a nucleic acid sequence as shown in FIG. 3 (SEQ.ID.NO.:6) from nucleotides 1 to 417, wherein T can also be U; or (b) a nucleic acid sequence that hybridizes to a nucleic acid sequence of (a) under stringent hybridization conditions which comprise hybridization at 5 x sodium chloride/sodium citrate (SSC) x Denhardt's solution/1.0% SDS at  $T_m - 5^{\circ}\text{C}$ , followed by a wash of 0.2 x SSC/0.1% SDS at  $60^{\circ}\text{C}$ .

73. (Previously Presented) The plant cell according to claim 68, wherein said flax seed-specific promoter comprises: (a) a nucleic acid sequence as shown in FIG. 3 (SEQ.ID.NO.:6) from nucleotides 1 to 417, wherein T can also be U; or (b) a nucleic acid sequence that hybridizes to a nucleic acid sequence of (a) under stringent hybridization conditions which comprise hybridization at 5 x sodium chloride/sodium citrate (SSC) x Denhardt's solution/1.0% SDS at  $T_m - 5^{\circ}\text{C}$ , followed by a wash of 0.2 x SSC/0.1% SDS at  $60^{\circ}\text{C}$ .

74. (Previously Presented) The plant cell according to claim 69, wherein said flax seed-specific promoter comprises: (a) a nucleic acid sequence as shown FIG. 3 (SEQ.ID.NO.:6) from nucleotides 1 to 417, wherein T can also be U; or (b) a nucleic acid sequence that hybridizes to a nucleic acid sequence of (a) under stringent hybridization conditions which comprise hybridization at 5 x sodium chloride/sodium citrate (SSC) x Denhardt's solution/1.0% SDS at  $T_m - 5^{\circ}\text{C}$ , followed by a wash of 0.2 x SSC/0.1% SDS at  $60^{\circ}\text{C}$ .